

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

THOMAS LAMBERT,

Plaintiff,

v.

AMERICAN SEAFOODS GROUP, INC., et
al.,

Defendants.

NO. C05-1826JLR

ORDER

This matter comes before the court on Defendants' motion to dismiss pursuant to Rule 41(b) of the Federal Rules of Civil Procedure (Dkt. # 33).

Plaintiff has, on at least two prior occasions in this case, failed to attend his deposition and his independent medical examination ("IME"). The court has already extended the trial date to accommodate Plaintiff's failure to participate in discovery. The court has also previously warned Plaintiff's lawyer that the case would be dismissed if Plaintiff continued to ignore his discovery obligations.

This case is currently set for trial on November 6, 2007 and discovery closes July 9, 2007.

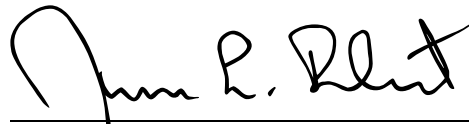
1 Despite Plaintiff's complete disregard of his discovery obligations, the court DENIES
2 Defendants' motion at this time (Dkt. # 33), and ORDERS as follows:

3 (1) All outstanding discovery directed to Plaintiff (including releases to obtain
4 medical and employment records) shall be provided to Defendants by March
5 23, 2007; and

6 (2) Plaintiff's deposition and IME shall be completed by April 20, 2007.

7 Failure to meet these deadlines will result in the court dismissing Plaintiff's claim with
8 prejudice for wilful failure to comply with discovery obligations and this court's order.

9 Dated this 14th day of March, 2007.

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12 JAMES L. ROBART
13 United States District Judge
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